

106TH CONGRESS  
1ST SESSION

# H. R. 3062

To provide grants to States for programs for the reemployment of laid off miners in reclamation work.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 12, 1999

Mr. WISE introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Education and the Workforce for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To provide grants to States for programs for the reemployment of laid off miners in reclamation work.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Coal Miner Environ-  
5 mental Impact Assistance Act of 1999”.

### 6 **SEC. 2. GRANTS TO ENHANCE THE EMPLOYMENT OF MIN-** 7 **ERS.**

8 (a) IN GENERAL.—The Governor of a State with an  
9 approved abandoned mine reclamation program under sec-

tion 405 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1235) shall establish a program to provide for the employment of coal miners who have either temporarily or permanently been laid off in such State as a result of the application of—

- (1) environmental statutes,
- (2) environmental regulations,
- (3) environmental policy directives, or
- (4) court orders,

directly relating to the mining of coal.

(b) SCOPE OF PROGRAM.—

(1) GRANTS.—The program established under subsection (a) shall consist of employing those miners referred to in such subsection with grants received by a State pursuant to section 402(g)(1) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(g)(1)) in the reclamation of eligible abandoned coal mined lands as set forth in title IV of such Act.

(2) DAVIS-BACON.—All laborers and mechanics employed by a contractor or subcontractor in the performance of construction, repair, or alteration work funded in whole or in part under the grants referred to in paragraph (1) shall be paid wages at not less than those prevailing on projects of a character

1 similar in the locality as determined by the Sec-  
2 retary of Labor in accordance with the Act of March  
3 3, 1931 (40 U.S.C 276a et seq.) (commonly referred  
4 to as the “Davis-Bacon Act”). The Secretary of the  
5 Interior may not approve a grant under paragraph  
6 (1) without first obtaining adequate insurance that  
7 required labor standards, including application of  
8 the Davis-Bacon Act, will be maintained.

9 (c) PREEMPTION.—

10 (1) IN GENERAL.—A State referred to in sub-  
11 section (a) may not enact or enforce a law, regula-  
12 tion, or other provision having the force and effect  
13 of law in contradiction of the provisions of sub-  
14 sections (a) and (b) unless a certification is made  
15 under paragraph (2).

16 (2) CERTIFICATION.—The Governor of a State  
17 referred to in subsection (a) may certify to the Sec-  
18 retary of the Interior that conditions exist in such  
19 State which do no warrant the establishment of the  
20 program referred to in such subsection. The Sec-  
21 retary, after notice in the Federal Register and op-  
22 portunity for public comment, shall concur with such  
23 certification if the Secretary determines that such  
24 certification is correct.

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